




State of Vermont
Vermont Department of Education
120 State Street
Montpelier, VT 05620-2501

MEMORANDUM

To: Superintendents, Special Education Administrators and Principals
From: Armando Vilaseca, Commissioner 
Re: Students placed at Woodside Juvenile Rehabilitation Center
Date: August 18, 2010

We have been working with the Agency of Human Services/Department of Families and Children to improve the delivery of special education services to students who have been placed at Woodside Juvenile Rehabilitation Center (Woodside). Many students placed at Woodside are eligible for special education services or 504 accommodations and they must be afforded all of their rights under the law. Students with IEPs or 504 Plans who stay at Woodside for more than 10 days are entitled to receive appropriate special education services and/or accommodations and modifications.

The obligation to provide FAPE to students placed at Woodside remains with the LEA, which is the district of residence for the student. LEAs need to work closely with Woodside staff to ensure that appropriate services are provided. The first step in this process is getting a copy of a student's records to Woodside in a timely manner. For a student who will likely be staying at Woodside for more than 10 days, Woodside staff will contact the LEA to request a copy of the student's records. If you receive such a request, please respond promptly and provide the records, particularly the IEP, as soon as possible.

After receipt of an IEP, Woodside staff will determine whether or not it can be implemented substantially as written or if it should be reviewed and revised to meet the student's current needs. If review and/or revision of an IEP is necessary, Woodside will request that the LEA convene an IEP meeting within 30 days of a student's arrival at Woodside. Related services specified in an IEP are to be provided at Woodside by the LEA, unless an agreement is made with Woodside for it to arrange for the services to be provided, in which case the LEA will be billed.

Woodside staff will also be attentive to the needs of students who may be suspected of having a disability. When staff is able to make that determination (which may not be until after a student has stabilized) a referral will be made to the LEA for an evaluation for special education or 504 services. If this is an initial evaluation, please remember that the statutory timelines apply and an evaluation must be completed within 60 days from receipt of signed consent.

Mike Mulcahy, Interagency Coordinator (828-5108, mike.mulcahy@state.vt.us) has been assigned to be the liaison with Woodside and LEAs who have students at Woodside. Please contact him if you have questions regarding this matter.